

SUBMITTED TO THE STATE COUNCIL ON THE ENVIRONMENT AND TO THE LEGISLATURE. THE COMMITTEE SHALL EVALUATE THE ADEQUACY OF PRESENT AND PROPOSED EFFORTS TO ACHIEVE STATE ENVIRONMENTAL NOISE STANDARDS, AND SHALL MAKE RECOMMENDATIONS FOR NEW OR REVISED REGULATIONS OR LEGISLATION. THE COMMITTEE SHALL REVIEW THE RELATIONSHIP OF STATE NOISE CONTROL REGULATIONS AND OTHER ENVIRONMENTAL LAWS, REGULATIONS, STANDARDS AND PROGRAMS. UPON REQUEST OF THE NOISE COUNCIL, THE ANNUAL REPORT OF THE COMMITTEE SHALL INCLUDE A REPORT OF THE NOISE ADVISORY COUNCIL.

828.

(A) THE DEPARTMENT SHALL PREPARE AND SUBMIT ENVIRONMENTAL NOISE STANDARDS TO THE NOISE COUNCIL FOR COMMENT NOT LATER THAN JANUARY 1, 1975, AND SHALL, AFTER RECEIPT OF THE COUNCIL'S ACTION AND COMMENTS, PROMPTLY ADOPT SUCH STANDARDS, GIVING DUE CONSIDERATION TO THE COUNCIL'S ACTION AND COMMENTS.

IN ESTABLISHING ENVIRONMENTAL NOISE STANDARDS, THE DEPARTMENT SHALL TAKE INTO CONSIDERATION SCIENTIFIC INFORMATION CONCERNING THE VOLUME, FREQUENCY, DURATION AND OTHER CHARACTERISTICS OF NOISE WHICH MAY ADVERSELY AFFECT PUBLIC HEALTH, SAFETY, OR GENERAL WELFARE. SUCH EFFECTS SHALL INCLUDE TEMPORARY OR PERMANENT HEARING LOSS, INTERFERENCE WITH SLEEP, SPEECH COMMUNICATION, WORK OR OTHER HUMAN ACTIVITIES, ADVERSE PHYSIOLOGICAL RESPONSES OR PSYCHOLOGICAL DISTRESS, ADVERSE EFFECTS ON ANIMAL LIFE, DEVALUATION OR DAMAGE OF PROPERTY, AND UNREASONABLE INTERFERENCE WITH THE ENJOYMENT OF LIFE OR PROPERTY. THE DEPARTMENT SHALL ALSO TAKE INTO CONSIDERATION INFORMATION PUBLISHED BY THE ADMINISTRATOR OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY PURSUANT TO SECTION 5 (A) (2) OF THE NOISE CONTROL ACT OF 1972.

(B) (1) THE DEPARTMENT SHALL ADOPT, NOT LATER THAN JANUARY 1, 1976, SOUND LEVEL LIMITS FOR VARIOUS CATEGORIES OF LAND USE TO CONTROL NOISE EMANATING FROM ACTIVITIES ON PRIVATE REAL PROPERTY, NOT OTHERWISE SPECIFICALLY PROVIDED FOR IN THE CODE. SUCH LIMITS SHALL BE APPLIED AT THE BOUNDARY OF A PROPERTY OR A LAND USE CATEGORY, AS DETERMINED BY THE DEPARTMENT. THEY SHALL BE CONSISTENT WITH THE ENVIRONMENTAL NOISE STANDARDS ESTABLISHED PURSUANT TO SUBSECTION (A) OF THIS SECTION.

(2) THE DEPARTMENT SHALL THEN PROMULGATE REGULATIONS FOR THE ADMINISTRATION AND ENFORCEMENT OF SUCH LIMITS TAKING INTO ACCOUNT ACCEPTED SCIENTIFIC AND PROFESSIONAL METHODS FOR MEASUREMENT OF SOUND LEVELS.

(3) IN PREPARING LIMITS AND REGULATIONS, THE DEPARTMENT SHALL CONSIDER, AMONG OTHER THINGS, THE